

PATENT Customer No. 22,852 Attorney Docket No. 04208.00083

**Technology Center 2600** 

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Application of:	)
Masahiro YAMAMOTO	) Group Art Unit: 2623
Serial No: 09/648,372	) Examiner: Vikkram Bali
Filed: August 25, 2000	, )
For: PATTERN INSPECTION APPARATUS, PATTERN INSPECTION METHOD, AND	RECEIVED SEP 0 9 2004

**Mail Stop Petition** 

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

RECORDING MEDIUM

Sir:

#### PETITION FOR CORRECTION OF INVENTORSHIP IN A PATENT APPLICATION UNDER 37 C.F.R. § 1.48(a)

Pursuant to 37 C.F.R. § 1.48(a), NanoGeometry Research ("Assignee") hereby requests that Tadashi Kitamura be added as a co-inventor in the above-identified patent application. Currently, this application only includes Masahiro Yamamoto as an inventor.

This Request is accompanied by: (1) a Statement from Tadashi Kitamura that the error in inventorship occurred without deceptive intention on his part; (2) a Declaration by the actual inventors; and (3) a Consent of Assignee, agreeing to the correction of inventorship. As set forth in 37 C.F.R. § 1.17(i), a processing fee of \$130.00 accompanies this Request.

09/07/2004 KBETEMA1 00000036 09648372

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130.00 OP

If any additional fees are required in connection with this Request, please charge such fees to Deposit Account No. 06-0916. Please credit any overpayment to Deposit Account No. 06-0916.

By:

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Dated: September 3, 2004

Dayid L. Soltz Reg. No. 34,731

Customer Number 44,002 Attorney Docket No. 4208.0083

# DECLARATION AND POWER OF ATTORNEY

'04 09/01 18:50 FAX 03 5561 7522

a below named inventor, I hereby declare that: my residence, post office address and citizenship are as ated below next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: PATTERN INSPECTION APPARATUS, PATTERN INSPECTION METHOD, AND RECORDING MEDIUM the specification of which was filed on August 25, 2000, as United States Application No. 09/648,372 and Confirmation No. 5413.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the clalms, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed:

	application(s) of which	priority is claimed:		Priority Claimed Under 35 U.S.C. 119
1	Country	Application Number	Date of Filing August 26, 1999	X YES NO
	Japan	11-235300	March 21, 2000	x YES NO
	Japan	2000-078847	Matur 21, 2000	
	1000			

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

below:		Date of Filing
	Application Number	
		205(c) of any PCT

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this

	application:		Status (Patented, Pending, Abandoned)
ſ	Application Number	Date of Filing	Sizio (
I			
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I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852.

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Atlomey Docket No. 4208.0003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

eopardize the validity of the application of	it atty perant in the	Date	
Full Name of First Inventor Masahiro YAMAMOTO	Inventors Stanature	Date Sup. Clitzenehlp Japan	11.2084
Residence c/o NANOGEOMETRY RESEARCH, KSP East 6 Kawasaki-shi. Kanagawa 213-0012, Japan Post Office Address c/o NANOGEOMETRY RESEARCH, KSP East 6 c/o NANOGEOMETRY RESEARCH, Japan		044	
Full Name of Second Inventor Tadashi KITAMURA	Inventor's Signature  J.K. Tam w.Q.	Date SEP 0/ Citizenship	2004
Residence c/o NANOGEOMETRY RESEARCH, KSP East Kawasaki-shi. Kanagawa 213-0012, Japan		Офия	
Post Office Address c/o NANOGEOMETRY RESEARCH, KSP Eas Kawasaki-shi, Kanagawa 213-0012, Japan	l 601,3-2-1. Sakado, Takatsu-ku,	<del> </del>	

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PATENT Customer No. 22,852 Attorney Docket No. 04208-0083

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Group Art Unit: 2623 Masahiro YAMAMOTO Examiner: Vikkram Bali Serial No: 09/648,372 August 25, 2000 Filed:

For: PATTERN INSPECTION APPARATUS, PATTERN

INSPECTION METHOD, AND RECORDING MEDIUM

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STATEMENT UNDER 37 C.F.R. § 1.48(d)

Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.48(d), I Tadashi Kitamura, should be added as an inventor in the above-identified provisional application. The inventorship error occurred without any deceptive intent on my part.

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent Issuing thereon.

Date: SEP 0/, 2004 By: 7 Kitamura
Tadashi Kitamura



PATENT Customer No. 22,852 Attorney Docket No. 4208,0083

→ FINNEGAN

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	
Masahiro YAMAMOTO	Group Art Unit: 2623
Serial No: 09/648,372	) Examiner: Vikkram Bali
Filed: August 25, 2000	, ) )
For: PATTERN INSPECTION APPARATUS, PATTERN INSPECTION METHOD, AND RECORDING MEDIUM	) ) ) )

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 **RECEIVED** 

SEP 0 9 2004

Sir:

Technology Center 2600

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. § 1.48 AND STATEMENT UNDER 37 C.F.R. § 3.73(b)

Nanogeometry Research ("Assignee") is the owner of the entire right, title, and interest in U.S. Patent Application No. 09/648,372 by virtue of assignments from Masahiro Yamamoto and Tadashi Kitamura to Assignee attached hereto. Assignee hereby agrees to the change of inventorship in the above-captioned patent application to add Tadashi Kitamura as an inventor.

Ø 003

Customer No. 22,852 Attorney Docket No. 5823.0236-00

The undersigned is empowered to act on behalf of Assignee, Nanogeometry

Research in this matter.

Date: Sep, 01, 2004

Nanogeometry Research

Name: Masahiro YAMAMOTO

Title: President CEO

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SOLE/JOINT INVENTION (U.S. Rights Only) Attorney Docket No. [Text]

→ FINNEGAN

#### **ASSIGNMENT**

WHEREAS I/We, the below named inventor(s).	, [hereinafter referred to as Assignor(s)],	have made an invention	, entitled:
WHEREAS IMPERIOR HOLLINGS INTERNATION	' •		

	N APPARATUS, PATTERN INSPECTION METHOD, AND RECORDING MEDIUM plication for United States Letters Patent concurrently herewith or filed an application for	-
United States Letters Patent or	August 25, 2000 (Application to a service)	
WHEREAS, Nanogeometry a corporation of Japan	Research	_
Whose post office address is	KSP East 601,3-2-1, Sakado, Takatsu-ku, Kawasaki-shi, Kanagawa 213-0012, Japan	_
		-

(hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention, the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/WE, as Assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof; and I/WE hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, IWE HEREBY further covenant and agree that I/We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to me/us respecting this invention and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors and assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

AND, I/WE HEREBY authorize and request the attorneys I/we have empowered in the Declaration and Power of Attorney In this application, to insert here in parentheses (Application No. 09/648,372, filed August 25, 2000) the filing date and application number of said application when known.

IN TESTIMONY WHEREOF, I/We have hereunto set our hand(s).

Tadash	NAME OF SOLE OR FIRST ASSIGNOR Kitamura	assignors signature C. K. tamwa	DATE SEP 01, 2004 CITIZENSHIP
addre c/o Na	SS Inogeometry Research, KSP East 601,3 Islashi, Kanangwa 213-0012, Janan	3-2-1, Sakado, Takatsu-ku,	Japan
Kawas:	iki shi Kananawa / i a-iki i akinai		<del></del>

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SEP 0 9 2004

Technology Center 2600

ATTORNEY DOCKET NO.: 4208.0083

SOLE/JOINT INVENTION (U.S. Rights Only)

#### ASSIGNMENT

have m METHOD	WHEREAS ade an i	I/We, th invention CORDING M	e below nam entitled: EDIUM	ed inven PATTERN	ntor(s), [he INSPECTION	reinafter r APPARATUS,	eferred to as PATTERN INS	s Assignor(s)] PECTION	, ا
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THE THE TOP	THE LECTION
for which I/WE executed an application for United States Lette herewith or on or filed an application	
herewith or on	rs Patent concurs
Patent on August 25, 2000 or filed an application	rs Patent concurrently for United States Letters
August 25, 2000 , XXXXXXXX (Serial No. 09	/648.372
WHEREAS, NANOGEOMETRY RESEARCH	); and
a corporation of	•
address is were Japan	
address is KSP W421B, 3-2-1, Sakado, Takatsu-ku, Kawasaki-sh; (hereinafter referred to as Assignee), is desirous of securing	,whose post office
interest in referred to as Assignee), is desirous of securing	the Managawa, Japan
(hereinafter referred to as Assignee), is desirous of securing interest in and to this invention, the application for United s invention and the Letters Patent to be issued upon this application	the entire right, title, and
invention and the Letters Patent to be issued upon this applica	tical Letters Patent on this
NOW THEREFORE, be it known that, for good and valuable co	not dominate
which from assignee is hereby acknowledged, I/WE, as assignor(s transferred, and set over, and do hereby sell, assign, transfer	usideration the receipt of
WOOTULER . 170 1	• HIM CAT Assess
WHO LO INTO INVESTIGATION AND A SECOND CONTRACT LIGHT	L. TITIA and J.
THE CHILLER STREAM TO SECURE 199	Of Edients and mass.
cessors and assigns, in accordance with the terms of this Assign	lon to assignee, its suc-
	ment:
AND, I/WE HEREBY further covenant and agree that I/We will consideration, communicate with assignee, its successors and	
To (12 months) communicate with assignee, its successors and	without further
consideration, communicate with assignee, its successors and ass me/us respecting this invention and testify in any legal proceed when called upon to do so, execute and deliver all papers that me desirable to the first successors.	igns, any facts known to
""OH CALLED IIDON 40 30 "" " " " " " " " PACCECA	100. 81m 511 1
assigns, execute all divisional, continuation, and reissue application and generally do everything possible to aid assignee, its	e, its successors and
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-J/ 4-00 (	SUCCERSONS and - +
Totally understood that any company	the United States, it
being understood that any expense incident to the execution of subty the assignee, its successors and assigns.	ich papers shall be borne
•	
AND, I/WE HEREBY authorize and request the attorneys I/we had beclaration and Power of Attorney in this application, to insert	
declaration and Power of Attorney in this application to income	ave empowered in the
(application No. 119/648 372 Et al.	here in parentheses
application number of said application when known.	e filing date and
·	
IN TESTIMONY WHEREOF, I/We have hereunto set our hand(s).	
1. Full Name of Sole or First Assignor: Assignor's Signature Masahiro YAMAMOTO	<del></del>
Address C/O NANOGEOMETRY RECEARCH YOU CAN	Date
	December 19, 2000
Za Fill I Mama af a	. : Citizenship
2. Full Name of Second Assignor : Assignor's Signature	Japan
Address :	: Date
3. Full Name of miles	: Citizenship
3. Full Name of Third Assignor : Assignor's Signature	
Address :	: Date
	: Citizenship

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P. . WASHINGTON, D.C.